

CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATION

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Tuesday, February 20, 2007

Mr. Samuel Kaauwai, III
Register No. 89783-022
FDC-Honolulu
P.O. Box 30080
Honolulu, Hawaii 96820

Mr. Kaauwai:

This acknowledges receipt of your type-written letter dated 2/15/07, and post-marked 2/16/07 (referred to as your 2/16/07 letter).

As you already know, I have already requested a transcript of your change of plea hearing and see no point in requesting a copy of the audio-tape because the transcript will tell us what transpired at your change of plea hearing.

Mr. Kaauwai, in your 2/16/07 letter, you state that "[a]s I have explained, these items are particularly important as they will support my position in withdrawing my guilty plea."

Despite your statements in your 2/16/07 letter, as you have never fully explained your position, instead giving me a ration of half-baked lies and omissions.

Therefore, I am asking you to reduce into writing precisely why the audio-tape and transcript of your change of plea colloquy will support your position?

Your 2/16/07 letter also reveals that you are quite capable of lying with your statement that "[a]side from your verbal assaults and reckless accusations, you have rendered to me what the law constitutes as ineffective assistance of counsel."

I have never verbally assaulted you nor have I hurled any "reckless accusations" to you. I have simply sought to figure out why you pled guilty, confessed that the gun was yours under oath as well as pointed out to you that your then girlfriend and others have corroborated that the gun was yours too.

Your 2/16/07 letter contains many other false statements. Mr. Kaauwai, you must be living in fantasy land when you state that I "have made numerous insults directed at my level of education which has caused me insult and harm."

Mr. Kaauwai, since I never made any insult about your level of education, I also seriously doubt that you have been insulted or harmed by anyone other than yourself.

To put it bluntly, Mr. Kaauwai, your letter of 2/16/07 is a pack of lies.

Clearly, you are hurting yourself. Since you did not like the sentence that was recommended, you have now sought to delay, protract, stall, impede and obstruct sentencing by coming up with every single excuse you can imagine, including endless continuances and the firing and withdrawing of your attorneys being your latest ploy.

I also happened to notice you have an anger management problem. It's everybody else's fault, isn't it, Mr. Kaauwai?

Also, I just remembered that you told me at the outset of this representation that you wanted your Motion to Withdraw Guilty Plea, withdrawn. Based on everything I have learned so far, it seems that you want the Motion withdrawn so you could start from scratch and come up with yet another excuse and clever way for avoiding sentencing.

Therefore, in order to accommodate your best interests, I shall prepare to Withdraw your Motion to Withdraw Guilty Plea. Because, Mr. Kaauwai, I do not intend to have you commit perjury by lying at any hearing on your Motion to Withdraw Guilty Plea.

Sincerely,

Emmett E. Lee Loy